GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:2022
ANSWERED ON:28.07.2016
All India Judicial Service
Charitra Shri Ram;Noor Smt. Mausam

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Law Commission of India has recommended for constitution of an All India Judicial Service (AIJS) in the country;
(b) if so, the details thereof and the action taken thereon by the Government;
(c) whether the Government has ascertained the feasibility of AIJS in the country;
(d) if so, the details thereof; and
(e) the present status of progress made towards constitution of AIJS?

Answer

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND ELECTRONICS AND INFORMATION TECHNOLOGY
(SHRI P.P. CHAUDHARY)

(a) to (e): The creation of All India Judicial Service (AIJS) was recommended by Law Commission of India in its 14th Report (1958). Later, Law Commission reiterated this recommendation in 77th Report (1978) and 116th Report (1986).

A comprehensive proposal was formulated for the constitution of an All India Judicial Service (AIJS) and the same was approved by the Committee of Secretaries in November, 2012. The proposal was included as an agenda item in the Conference of Chief Ministers and Chief Justices of the High Courts held in April, 2013 and it was decided that issue needs further deliberation and consideration. The views of the State Governments and High Courts were sought on the proposal. There was divergence of opinion among the State Governments and amongst High Courts on constitution of All India Judicial Service.
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The proposal for constitution of All India Judicial Service with views from the High Courts and State Governments received thereon was included in the agenda for the Joint Conference of Chief Ministers and Chief Justices of the High Courts held on 05th April, 2015. However, no progress was made on the subject. The matter regarding creation of a Judicial Service Commission to help the recruitment to the post of district judges and review of selection process of judges / judicial officers at all level was also included in the agenda for the Chief Justices Conference, which was held on 03rd and 04th April, 2015. During the Conference of the Chief Justice of the High Courts, it was resolved to leave it open to the respective High Courts to evolve appropriate methods within the existing system to fill up the vacancies for appointment of District judges expeditiously.
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